APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,000	10/25/2001	Johan Rune	040000-847	6973

42015	7590	04/04/2006

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EXAMINER
TRAN, PHILIP B

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2"></td><td rowspan="2">Office Action Summary</td><td>Application No.</td><td>Applicant(s)</td></tr>
<tr><td>10/042,000</td><td>RUNE, JOHAN</td></tr>
<tr><td></td><td></td><td>Examiner</td><td>Art Unit</td></tr>
<tr><td></td><td></td><td>Philip B. Tran</td><td>2155</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 January 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Response to Amendment

Notice to Applicant

1.   This communication is in response to Remarks filed 09 January 2006. Claims 1-

37 are pending for further examination.

Claim Rejections - 35 U.S.C. § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

3.   Claims 1-37 are rejected under 35 U.S.C. § 102(e) as being anticipated by

Aggarwal et al (Hereafter, Aggarwal), U.S. Pat. No. 6,8,76,634.

Regarding claim 1, Aggarwal teaches a method for coordinating network nodes

in a network, the method comprising the steps of informing a first slave node, by a

master node, of a first period to scan for inquiry messages, informing a second slave

node, by the master node, of a second period for scanning for inquiry messages,

wherein the first period and second period do not occur during a same period of time,

and scanning, by the first slave node, for inquiry messages during the first period,

wherein an inquiry message is used by a node sending the inquiry message to

determine which nodes are reachable by the node sending the inquiry message (=

forming communication between master node and slave node in wireless network, identifying node's address and services offered thereby, scanning for inquiry messages and transmitting information from one node to another) [see Abstract and Figs. 1-6 and Col. 2, Line 42 to Col. 3, Line 55 and Col. 4, Lines 48-67 and Col. 5, Line 38 to Col. 6, Line 18 and Col. 8, Line 39 to Col. 9, Line 6].

Regarding claim 2, Aggarwal further teaches the method of claim 1, wherein the network is a wireless network [see Abstract].

Regarding claim 3, Aggarwal further teaches the method of claim 2, wherein nodes of the wireless network communicate using frequency hopping [see Col. 3, Lines 1-5].

Regarding claim 4, Aggarwal further teaches the method of claim 3, wherein the network operates according to Bluetooth protocol [see Col. 3, Lines 5-11].

Regarding claim 5, Aggarwal teaches a method for coordinating network nodes in a network, the method comprising the steps of informing a first slave node, by a master node, of a first period to send an inquiry message, informing a second slave node, by the master node, of a second period for sending an inquiry message, wherein the first period and second period do not occur during a same period of time, and sending, by the first slave node, an inquiry message during the first period, wherein the

inquiry message is used by the first node to determine which nodes are reachable by the first node (= forming communication between master node and slave node in wireless network, identifying node's address and services offered thereby, scanning for inquiry messages and transmitting information from one node to another) [see Abstract and Figs. 1-6 and Col. 2, Line 42 to Col. 3, Line 55 and Col. 4, Lines 48-67 and Col. 5, Line 38 to Col. 6, Line 18 and Col. 8, Line 39 to Col. 9, Line 6].

Regarding claim 6, Aggarwal further teaches the method of claim 5, wherein the network is a wireless network [see Abstract].

Regarding claim 7, Aggarwal further teaches the method of claim 6, wherein nodes of the wireless network communicate using frequency hopping [see Col. 3, Lines 1-5].

Regarding claim 8, Aggarwal further teaches the method of claim 7, wherein the network operates according to Bluetooth protocol [see Col. 3, Lines 5-11].

Claim 9 is rejected under the same rationale set forth above to claim 1. In addition, Aggarwal further teaches paging from the first node to the second node in accordance with the page scan information [see Col. 5, Line 38 to Col. 6, Line 18].

Regarding claims 10-12, Aggarwal does not explicitly teach the method of claim 9, wherein the parameters include timing and frequency information related to the scanning for page messages by the second node, wherein the parameters include a length of the scan period, a page scan repetition interval and a number of page scan repetitions and information related to the number of times the page scan information has been distributed [see Col. 4, Lines 48-67 and Col. 5, Line 38 to Col. 6, Line 18].

Regarding claim 13, Aggarwal further teaches the method of claim 9, wherein the network is a wireless network [see Abstract].

Regarding claim 14, Aggarwal further teaches the method of claim 9, wherein nodes of the wireless network communicate using frequency hopping [see Col. 3, Lines 1-5].

Regarding claim 15, Aggarwal further teaches the method of claim 9, wherein the network operates according to Bluetooth protocol [see Col. 3, Lines 5-11].

Claim 16 is rejected under the same rationale set forth above to claim 9.

Claims 17-18 are rejected under the same rationale set forth above to claims 10-12.

Claims 19-21 are rejected under the same rationale set forth above to claims 13-15, respectively.

Claim 22 is rejected under the same rationale set forth above to claim 1.

Regarding claim 23, Aggarwal further teaches the method of claim 22, further comprising the steps of: paging from the second slave node to the first slave node in accordance with the page scan information; responding to the page by the first slave node, thereby establishing a connection between the first slave node and the second slave node [see Col. 5, Line 38 to Col. 6, Line 18].

Regarding claim 24, Aggarwal further teaches the method of claim 23, wherein the network is a wireless network [see Abstract].

Regarding claim 25, Aggarwal further teaches the method of claim 23, wherein nodes of the wireless network communicate using frequency hopping {see Col. 3, Lines 1-5].

Regarding claim 26, Aggarwal further teaches the method of claim 23, wherein the network operates according to Bluetooth protocol [see Col. 3, Lines 5-11].

Claims 27-30 are rejected under the same rationale set forth above to claims 1-4, respectively.

Claim 31 is rejected under the same rationale set forth above to claim 9.

Claims 32-34 are rejected under the same rationale set forth above to claims 10-12.

Claims 34-37 are rejected under the same rationale set forth above to claims 13-15, respectively.

Response to Arguments

4.   Applicant's arguments have been fully considered but they are not persuasive because of the following reasons:

In response to applicant's arguments that cited reference teaches away from the invention of the instant application, the law of anticipation requires that a distinction be made between the invention described or taught and the invention claimed. It does not require that the reference "teach" what the subject patent teaches. Assuming that a reference is properly "prior art," it is only necessary that the claims under consideration "read on" something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or "fully met" by it. Colman v. Kimberly-Clark Corp., 218 USPO 789.

Aggarwal teaches a method for coordinating network nodes in a network, the method comprising the steps of informing a first slave node, by a master node, of a first period to scan for inquiry messages, informing a second slave node, by the master node, of a second period for scanning for inquiry messages, wherein the first period and second period do not occur during a same period of time, and scanning, by the first slave node, for inquiry messages during the first period, wherein an inquiry message is used by a node sending the inquiry message to determine which nodes are reachable

by the node sending the inquiry message. For example, Aggrawal discloses forming

communication between master node and slave node in wireless network, identifying

node's address and services offered thereby, scanning for inquiry messages and

transmitting information from one node to another [see Aggrawal, Abstract and Figs. 1-6

and Col. 2, Line 42 to Col. 3, Line 55 and Col. 4, Lines 48-67 and Col. 5, Line 38 to Col.

6, Line 18 and Col. 8, Line 39 to Col. 9, Line 6].

Aggrawal specifically teaches "the Bluetooth standard defines 'inquiry' mode or

'scan' mode, which correspond to the said transmit and receive states, respectively. The

devices can possibly alternate between the two modes, but a device can be only in one

of these modes at a time" [see Aggrawal, Col. 3, Lines 5-13]. Of course, Aggrawal

suggests that informing a first slave node, by a master node, of a first period to scan for

inquiry messages and informing a second slave node, by the master node, of a second

period for scanning for inquiry messages, wherein the first period and second period do

not occur during a same period of time as recited in claim 1.

These so-called features of "informing a first slave node, by a master node, of a

first period to scan for inquiry messages and informing a second slave node, by the

master node, of a second period for scanning for inquiry messages, wherein the first

period and second period do not occur during a same period of time", as recited in claim

1, are not even claimed in other independent claims 9, 16, 22 and 31.

Therefore, the examiner asserts that cited prior art teaches or suggests the

subject matter recited in independent claims. Dependent claims are also rejected at

least by virtue of dependency on independent claims and by other reasons shown

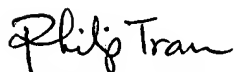above. Accordingly, claims 1-37 are respectfully rejected.

Conclusion

5.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CAR 1.136(a).

A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION
IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION.
IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING
DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED
UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY
PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE
DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE
PURSUANT TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING
DATE OF THE ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE
STATUTORY PERIOD FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE
MAILING DATE OF THIS FINAL ACTION.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Philip Tran whose telephone number is (571) 272-3991.

The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by

telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on

(571) 272-4006.

7.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Philip Tran

Philip B. Tran
Primary Examiner
Art Unit 2155
March 30, 2006